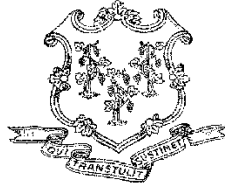


SENATOR MARTIN M. LOONEY
PRESIDENT PRO TEMPORE

Eleventh District
New Haven, Hamden & North Haven



State of Connecticut
SENATE

State Capitol
Hartford, Connecticut 06106-1591
132 Fort Hale Road
New Haven, Connecticut 06512
Home: 203-468-8829
Capitol: 860-240-8600
Toll-free: 1-800-842-1420
www.SenatorLooney.cga.ct.gov

March 1, 2022

Good afternoon Senator Maroney, Representative D'Agostino and members of the General Law Committee, I am here to testify in support of SB 188, AN ACT REQUIRING BRAND NAME PRESCRIPTION DRUG MANUFACTURERS TO PROVIDE SAMPLES OF BRAND NAME DRUGS TO GENERIC PRESCRIPTION DRUG MANUFACTURERS.

This legislation is similar to Maine's LD 1280¹ which passed there in 2018. SB 188 would require that brand name pharmaceutical manufacturers that are present in the state comply with federal law and make available, **at a fair market price**, samples of their drugs to generic manufacturers. It would require that drugs distributed in Connecticut be made available for sale to an FDA-approved generic drug manufacturer who is seeking to develop a more affordable alternative. In addition, the bill would authorize the Attorney General to bring legal action against pharmaceutical manufacturers who do not comply with this law. Last year there appeared to be some inaccurate information that was spread regarding similar legislation. Under this legislation the name brand manufacturer must **SELL** the drug at a **fair market price**; it does NOT require that the name brand manufacturer provide the samples at no cost to

¹ <http://www.mainesenate.org/maine-senate-passes-jacksons-bill-lower-drug-costs/>

the potential generic maker. Currently the federal government posts a list of companies that deny this access to generic makers².

Denying generic drug manufacturers access to samples appears to be a fairly common strategy used by name brand drug manufacturers to delay generic entry into the market.³ This bill is one step toward increasing access to affordable prescription drugs.

Thank you for hearing this important bill.

² <https://www.wepclinical.com/fda-publishes-list-of-branded-drug-companies-blocking-generic-competition/>

³ <https://www.commonwealthfund.org/publications/journal-article/2017/sep/strategies-delay-market-entry-generic-drugs>